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AMENDED IN ASSEMBLY MAY 28, 1996
AMENDED IN ASSEMBLY MAY 15, 1996

CALIFORNIA LEGISLATURE—1995–96 REGULAR SESSION

ASSEMBLY BILL

No. 3043

Introduced by Assembly Member Takasugi
(Coauthor: Senator Russell)

February 23, 1996

An act to amend Sections 11462 and 11462.01 of, and to add Section 11466.8 to, the Welfare and Institutions Code, relating to public social services, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 3043, as amended, Takasugi. Foster care providers.

Existing law provides for the Aid to Families with Dependent Children (AFDC) program, pursuant to which qualified families are provided with cash assistance, and includes the Aid to Families with Dependent Children Foster Care (AFDC-FC) program, through which certain needs of eligible children in foster care are provided. The AFDC program is administered and partially funded by the counties. The AFDC program is partially funded by federal participation and is subject to federal requirements for federal participation.

Existing law provides for the establishment of various levels of group home reimbursement rates under the AFDC-FC

program and requires that those providers maintain and provide to the department specified information.

This bill would revise the procedures for determining the reimbursement of those group home providers and the information those providers shall maintain.

Existing law provides for the classification of group home foster care providers according to the level of service provided by the group homes, and requires the establishment of rate classification levels 13 and 14 for those group homes that provide additional levels of service.

Existing law requires the periodical review of the placement child in foster care and requires that if it is determined that if an interagency placement committee determines that the child no longer needs or is not benefiting from placement in an RCL 13 or RCL 14 level of group home, the committee shall require the removal of the child and a new disposition of that child.

This bill would require the committee to report the determination to the juvenile court, and would require the court to require the removal and disposition of the child, unless the court finds that it is not in the best interest of the child to do so.

~~Existing law requires a group home to discover any error in the placement of a child in an RCL 13 or RCL 14 group home within 30 days of placement and to notify the county placing agency.~~

~~This bill would specify that the provider shall notify the county placing agency within 5 days of the discovery of the placement error.~~

The bill would also require the department to report to the appropriate policy and fiscal committees of the Legislature by December 1, 1996, on its progress in implementing certain existing requirements relating to out-of-home child care placement.

The bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 11462 of the Welfare and Institutions Code is amended to read:

11462. (a) (1) Effective July 1, 1990, foster care providers licensed as group homes, as defined in departmental regulations, including public child care institutions, as defined in Section 11402.5, shall have rates established by classifying each group home program and applying the standardized schedule of rates. The department shall collect information from group providers beginning January 1, 1990, in order to classify each group home program.

(2) Notwithstanding paragraph (1), foster care providers licensed as group homes shall have rates established only if the group home is organized and operated on a nonprofit basis as required under subdivision (h) of Section 11400. The department shall terminate the rate effective January 1, 1993, of any group home not organized and operated on a nonprofit basis as required under subdivision (h) of Section 11400.

(b) A group home program shall be initially classified, for purposes of emergency regulations, according to the level of care and services to be provided using a point system developed by the department and described in the report, "The Classification of Group Home Programs under the Standardized Schedule of Rates System," prepared by the State Department of Social Services, August 30, 1989.

(c) The rate for each rate classification level (RCL) has been determined by the department with data from the AFDC-FC Group Home Rate Classification Pilot Study. The rates effective July 1, 1990, were developed using 1985 calendar year costs and reflect adjustments to the costs for each fiscal year, starting with the 1986-87 fiscal year, by the amount of the California Necessities Index computed pursuant to the methodology described in Section 11453. The data obtained by the department using 1985 calendar year costs shall be updated and revised by January 1, 1993.

(d) As used in this section, “standardized schedule of rates” means a listing of the 14 rate classification levels, the single rate established for each RCL, and the rate floor for each RCL.

(e) The standardized schedule of rates shall be phased in commencing July 1, 1990.

(1) In order to phase in the standardized schedule of rates, a “rate floor” has been established for each RCL.

(2) The rate floor for fiscal year 1990–91 shall be 85 percent of the standard rate for each RCL. The rate floor shall be increased to 92.5 percent of the standard rate for fiscal year 1991–92 for each RCL, shall be equal to the standard rate for each RCL for the period July 1, 1992, to September 13, 1992, inclusive, and shall be 92.5 percent of the standard rate for each RCL for the period September 14, 1992, to June 30, 1993, inclusive.

(3) The rate floor for each RCL shall be 95 percent of the standard rate for each RCL for the 1993–94 fiscal year. The rate floor shall be equal to the standard rate for each RCL for the 1994–95 fiscal year and beyond.

(f) Except as specified in paragraph (1), the department shall determine the RCL for each group home program on a prospective basis, according to the level of care and services that the group home operator projects will be provided during the period of time for which the rate is being established.

(1) For a group home program for which the department established a rate effective prior to June 30, 1990, that took into account the program’s historical costs, the department shall establish the rate for fiscal year 1990–91 by determining the RCL on a retrospective basis, according to the level of care and services actually provided between July 1 and December 31, 1989, or between July 1, 1989, and March 31, 1990.

(2) Group home programs that fail to maintain at least the level of care and services associated with the RCL upon which their rate was established shall inform the department. The department shall develop regulations specifying procedures to be applied when a group home fails to maintain the level of services projected, including,

1 but not limited to, rate reduction and recovery of
2 overpayments.

3 (3) The department shall not reduce the rate, establish
4 an overpayment, or take other actions pursuant to
5 paragraph (2) for any period that a group home program
6 maintains the level of care and services associated with
7 the RCL for children actually residing in the facility.
8 Determinations of levels of care and services shall be
9 made in the same way as modifications of overpayments
10 are made pursuant to paragraph (2) of subdivision (b) of
11 Section 11466.2.

12 (4) Beginning July 1, 1994, for group homes paid at
13 rates below the standard rate established by subdivision
14 (g), a group home program shall remain at its current
15 RCL if it maintains at least the level of care and services
16 associated with that percentage of the points required to
17 be at that RCL that equals the percentage of the standard
18 rate used to establish the group home's rate. In no event,
19 however, shall points per child per month be reduced
20 more than ten points below the minimum required for
21 the current RCL. The RCL for a program shall not
22 increase due to the operation of this paragraph absent any
23 program changes approved by the department pursuant
24 to subdivision (k).

25 (5) A group home program that substantially changes
26 its staffing pattern from that reported in the group home
27 program statement shall provide notification of this
28 change to all counties that have placed children currently
29 in care. This notification shall be provided whether or not
30 the RCL for the program may change as a result of the
31 change in staffing pattern.

32 (g) The standardized schedule of rates for fiscal year
33 1990-91 is:

		FY 1990-91	
Rate Classification Level	Point Ranges	Standard Rate	Rate Floor (85%)

1	1	Under 60	\$1,183	\$1,006
2	2	60–89	1,478	1,256
3	3	90–119	1,773	1,507
4	4	120–149	2,067	1,757
5	5	150–179	2,360	2,006
6	6	180–209	2,656	2,258
7	7	210–239	2,950	2,508
8	8	240–269	3,245	2,758
9	9	270–299	3,539	3,008
10	10	300–329	3,834	3,259
11	11	330–359	4,127	3,508
12	12	360–389	4,423	3,760
13	13	390–419	4,720	4,012
14	14	420 & Up	5,013	4,261

15

16 (h) (1) For fiscal year 1990–91, the standardized
 17 schedule of rates shall be implemented as follows:

18 (A) Any group home program which received an
 19 AFDC-FC rate in the prior fiscal year below the standard
 20 rate for the fiscal year 1990–91 RCL shall receive their
 21 1989–90 rate plus an amount equal to the California
 22 Necessities Index (CNI). The rate for fiscal year 1990–91
 23 at which the state will participate shall not exceed the
 24 standard rate for the RCL.

25 (B) If the CNI increase to the group home program's
 26 fiscal year 1989–90 rate does not raise the group home
 27 program to the rate floor for the RCL, the group home
 28 program shall receive a rate equal to the rate floor for the
 29 RCL.

30 (C) A group home program which received an
 31 AFDC-FC rate for fiscal year 1989–90 at or above the
 32 standard rate for the RCL for fiscal year 1990–91 shall
 33 continue to receive that fiscal year 1989–90 rate.

34 (2) For the 1996–97 and 1997–98 fiscal years, the
 35 standardized rate for each RCL shall be adjusted by an
 36 amount equal to the California Necessities Index
 37 computed pursuant to the methodology described in
 38 Section 11453.

39 (A) Any group home program which received an
 40 AFDC-FC rate in the prior fiscal year at or above the

1 adjusted standard rate for the RCL in the current fiscal
2 year shall continue to receive that rate.

3 (B) A group home program which received an
4 AFDC-FC rate in the prior fiscal year below the standard
5 rate for the RCL in the current fiscal year shall receive
6 that rate adjusted by an amount equal to the CNI. The
7 rate for the current fiscal year shall not exceed the
8 standard rate for the RCL and shall not be less than the
9 rate floor for the RCL.

10 (3) Beginning with the 1996–97 fiscal year, the
11 standardized schedule of rates shall be adjusted annually
12 by an amount equal to the CNI computed pursuant to
13 Section 11453, subject to the availability of funds.

14 (A) Any group home program which received an
15 AFDC-FC rate in the prior fiscal year at or above the
16 adjusted standard rate for the RCL in the current fiscal
17 year shall continue to receive that rate.

18 (B) Any group home program which received an
19 AFDC-FC rate in the prior fiscal year below the adjusted
20 standard rate for the RCL in the current fiscal year shall
21 receive the adjusted RCL rate.

22 (i) (1) (A) The rate for a new group home program
23 of a new or existing provider shall be established at the
24 rate floor for the new program's projected RCL.

25 (B) On and after the operative date of this
26 subparagraph, the department shall not, prior to July 1,
27 1993, establish a rate for a new group home program of a
28 new or existing provider.

29 (2) The department shall not establish a rate for a new
30 program of a new or existing provider unless the provider
31 submits a recommendation from the host county, the
32 primary placing county, or a regional consortium of
33 counties that the program is needed in that county; that
34 the provider is capable of effectively and efficiently
35 operating the program; and that the provider is willing
36 and able to accept AFDC-FC children for placement who
37 are determined by the placing agency to need the level
38 of care and services that will be provided by the program.

39 (3) The department shall encourage the
40 establishment of consortia of county placing agencies on

1 a regional basis for the purpose of making decisions and
2 recommendations about the need for, and use of, group
3 home programs and other foster care providers within
4 the regions.

5 (4) The department shall annually conduct a
6 county-by-county survey to determine the unmet
7 placement needs of children placed pursuant to Sections
8 300 and Section 601 or 602, and shall publish its findings
9 by November 1 of each year.

10 (j) The department shall develop regulations
11 specifying ratesetting procedures for program
12 expansions, reductions, or modifications, including
13 increases or decreases in licensed capacity, or increases or
14 decreases in level of care or services.

15 (k) (1) For the purpose of this subdivision, “program
16 change” means any alteration to an existing group home
17 program planned by a provider that will increase the
18 RCL or AFDC-FC rate. An increase in the licensed
19 capacity or other alteration to an existing group home
20 program that does not increase the RCL or AFDC-FC
21 rate shall not constitute a program change.

22 (2) (A) Prior to July 1, 1993, the rate for a group home
23 program shall not increase, as the result of a program
24 change, from the rate established for the program
25 effective June 30, 1992. For rate increases as a result of a
26 program change which became effective between July 1,
27 1992, and the effective date of this paragraph, the
28 department shall adjust rates downward as necessary to
29 comply with this chapter. Notwithstanding any other
30 provisions of law, a group home provider shall be allowed
31 to change a group home program to reflect a decrease in
32 services due to the provisions of this paragraph.

33 (B) For the 1993–94 fiscal year, the rate for a group
34 home program shall not increase, as the result of a
35 program change, from the rate established for the
36 program effective July 1, 1993, except as provided in
37 paragraph (3).

38 (C) For the 1994–95 fiscal year and the 1995–96 fiscal
39 year, the rate for a group home program shall not
40 increase, as the result of a program change, from the rate

1 established for the program effective July 1, 1994, except
2 as provided in paragraph (3).

3 (3) (A) For the 1993–94 fiscal year, the 1994–95 fiscal
4 year, and the 1995–96 fiscal year the department shall not
5 establish a rate for a new program of a new or existing
6 provider or approve a program change for an existing
7 provider that either increases the program’s RCL or
8 AFDC-FC rate, or increases the licensed capacity of the
9 program as a result of decreases in another program with
10 a lower RCL or lower AFDC-FC rate that is operated by
11 that provider, unless both of the conditions specified in
12 this paragraph are met.

13 (i) The licensee obtains a letter of recommendation
14 from the host county, primary placing county, or regional
15 consortium of counties regarding the proposed program
16 change or new program.

17 (ii) The county determines that there is no increased
18 cost to the General Fund.

19 (B) Notwithstanding subparagraph (A), the
20 department may grant a request for a new program or
21 program change, not to exceed 25 beds, statewide, if (i)
22 the licensee obtains a letter of recommendation from the
23 host county, primary placing county, or regional
24 consortium of counties regarding the proposed program
25 change or new program, and (ii) the new program or
26 program change will result in a reduction of referrals to
27 state hospitals during the 1993–94 fiscal year, the 1994–95
28 fiscal year, or the 1995–96 fiscal year.

29 ~~(f) Group home providers shall maintain all cost data~~
30 ~~related to the following categories for a period of not less~~
31 ~~than five years:~~

- 32 ~~(1) Child care services.~~
- 33 ~~(2) Social work activities.~~
- 34 ~~(3) Food.~~
- 35 ~~(4) Shelter.~~
- 36 ~~(5) Buildings and equipment.~~
- 37 ~~(6) Utilities.~~
- 38 ~~(7) Vehicles and travel.~~
- 39 ~~(8) Child-related costs.~~
- 40 ~~(9) Administration.~~

1 ~~(m)~~—

2 (l) General unrestricted or undesignated private
3 charitable donations and contributions made to
4 charitable or nonprofit organizations shall not be
5 deducted from the cost of providing services pursuant to
6 this section. The donations and contributions shall not be
7 considered in any determination of maximum
8 expenditures made by the department.

9 ~~(n)~~—

10 (m) The department shall, by October 1 each year,
11 commencing October 1, 1992, provide the Joint
12 Legislative Budget Committee with a list of any new
13 departmental requirements established during the
14 previous fiscal year concerning the operation of group
15 homes, and of any unusual, industrywide increase in costs
16 associated with the provision of group care which may
17 have significant fiscal impact on providers of group
18 homes care. The committee may, in fiscal year 1993–94
19 and beyond, use the list to determine whether an
20 appropriation for rate adjustments is needed in the
21 subsequent fiscal year.

22 ~~(o)~~—

23 (n) This section shall become operative on July 1, 1995.

24 SEC. 2. Section 11462.01 of the Welfare and
25 Institutions Code is amended to read:

26 11462.01. (a) Commencing July 1, 1994, a group
27 home program shall be classified at RCL 13 or RCL 14 if
28 the program meets all of the following requirements:

29 (1) The group home program is providing, or has
30 proposed to provide, the level of care and services
31 necessary to generate sufficient points in the ratesetting
32 process to be classified at RCL 13 if the rate application
33 is for RCL 13 or to be classified at RCL 14 if the rate
34 application is for RCL 14.

35 (2) (A) (i) The group home provider shall agree not
36 to accept for placement into a group home program
37 AFDC-FC funded children, including voluntary
38 placements and seriously emotionally disturbed children
39 placed out-of-home pursuant to an individualized
40 education program developed under Section 7572.5 of the

1 Government Code, who have not been approved for
2 placement by an interagency placement committee, as
3 described by Section 4096. The approval shall be in
4 writing and shall indicate that the interagency placement
5 committee has determined the child is seriously
6 emotionally disturbed, as defined by Section 5600.3 and
7 subject to Section 1502.4 of the Health and Safety Code,
8 and that the child needs the level of care provided by the
9 group home.

10 (ii) For purposes of clause (i), group home providers
11 who accept seriously emotionally disturbed children who
12 are assessed and placed out-of-home pursuant to an
13 individualized education program developed under
14 Section 7572.5 of the Government Code shall be deemed
15 to have met the interagency placement committee
16 approval for placement requirements of clause (i) if the
17 individualized education program assessment indicates
18 that the child has been determined to be seriously
19 emotionally disturbed, as defined in Section 5600.3 and
20 subject to Section 1502.4 of the Health and Safety Code,
21 and needs the level of care described in clause (i).

22 (B) (i) Nothing in this subdivision shall prevent the
23 emergency placement of a child into a group home
24 program prior to the determination by the interagency
25 placement committee pursuant to subclause (i) of
26 subparagraph (A) if a licensed mental health
27 professional, as defined in the department's AFDC-FC
28 ratesetting regulations, has evaluated, in writing, the
29 child within 72 hours of placement, and determined the
30 child to be seriously emotionally disturbed and in need of
31 the care and services provided by the group home
32 program.

33 (ii) The interagency placement committee shall,
34 within 30 days of placement pursuant to clause (i), make
35 the determination required by clause (i) of subparagraph
36 (A).

37 (iii) If, pursuant to clause (ii), the placement is
38 determined to be appropriate, the committee shall
39 transmit the approval, in writing, to the county placing
40 agency and the group home provider.

(iv) If, pursuant to clause (ii) the placement is determined not to be appropriate, the child shall be removed from the group home and referred to a more appropriate placement, as specified in subdivision (f).

(C) Commencing December 15, 1992, with respect to AFDC-FC funded children, only those children who are approved for placement by an interagency placement committee may be accepted by a group home under this subdivision.

(3) The group home program is certified by the State Department of Mental Health pursuant to Section 4096.5.

(b) The department shall not establish a rate for a group home requesting a program change to RCL 13 or RCL 14 unless the group home provider submits a recommendation from the host county or the primary placing county that the program is needed and that the provider is willing and capable of operating the program at the level sought. For purposes of this subdivision, “host county,” “primary placing county,” and “program change” mean the same as defined in the department’s AFDC-FC ratesetting regulations.

(c) The effective date of rates set at RCL 13 or RCL 14 shall be the date that all the requirements are met, but not prior to July 1 of that fiscal year. Nothing in this section shall affect RCL 13 or RCL 14 ratesetting determinations in prior years.

(d) Any group home program that has been classified at RCL 13 or RCL 14 pursuant to the requirements of subdivision (a) shall be reclassified at the appropriate lower RCL with a commensurate reduction in rate if either of the following occurs:

(1) The group home program fails to maintain the level of care and services necessary to generate the necessary number of points for RCL 13 or RCL 14, as required by paragraph (1) of subdivision (a). The determination of points shall be made consistent with the department’s AFDC-FC ratesetting regulations for other rate classification levels.

(2) The group home program fails to maintain a certified mental health treatment program as required by paragraph (3) of subdivision (a).

(3) In the event of a determination under paragraph (1), the group home may appeal the finding or submit a plan of correction. The appeal process specified in Sections 11466.6 and 11468.6 shall be available to RCL 13 and RCL 14 group home providers. During an appeal or plan of correction, the department shall ensure that the group home maintains the appropriate level of care.

(e) The interagency placement committee shall periodically review, but no less often than that required by current law, the placement of the child. If the committee determines that the child no longer needs, or is not benefiting from, placement in a RCL 13 or RCL 14 group home, the committee shall report its finding to the juvenile court, which shall require the removal of the child and a new disposition, unless the court finds that it is not in the best interest of the child to do so.

(f) (1) (A) If, at any time subsequent to placement in an RCL 13 or RCL 14 group home program, the interagency placement committee determines either that the child is not seriously emotionally disturbed or is not in need of the care and services provided by the group home program, it shall notify, in writing, both the county placing agency and the group home provider within 10 days of the determination.

(B) The county placing agency shall notify the group home provider, in writing, within five days from the date of the notice from the committee, of the county's plan for removal of the child.

(C) The county placing agency shall remove the child from the group home program within 30 days from the date of the notice from the interagency placement committee.

(2) (A) If a county placing agency does not remove a child within 30 days from the date of the notice from the interagency placement committee, the group home provider shall notify the interagency placement committee and the department, in writing, of the

1 county's failure to remove the child from the group home
2 program.

3 (B) The group home provider shall make the
4 notification required by subparagraph (A) within five
5 days of the expiration of the 30-day removal period. If
6 notification is made, a group home provider shall not be
7 subject to an overpayment determination due to failure
8 of the county placing agency to remove the child.

9 (3) Any county placing agency that fails to remove a
10 child from a group home program under this paragraph
11 within 30 days from the date of the notice from the
12 interagency placement committee shall be assessed a
13 penalty in the amount of the state and federal financial
14 participation in the AFDC-FC rate paid on behalf of the
15 child commencing on the 31st day and continuing until
16 the child is removed.

17 (g) (1) If any RCL 13 or RCL 14 group home provider
18 discovers that it does not have written approval for
19 placement of any AFDC-FC funded child placed on or
20 after December 15, 1992, from the interagency
21 placement committee, it shall notify the county placing
22 agency, in writing, and shall request the county to obtain
23 approval from the interagency placement committee or
24 remove the child from the group home program. A group
25 home provider shall have 30 days from the child's first day
26 of placement to discover the placement error and to
27 notify the county placing agency.

28 (2) Any county placing agency that receives
29 notification pursuant to paragraph (2) of subdivision (f)
30 shall obtain approval for placement from the interagency
31 placement committee or remove the child from the
32 group home program within 30 days from the date of the
33 notice from the group home provider. The program shall
34 not be reclassified to a lower RCL for a violation of the
35 provisions referred to in this paragraph.

36 (3) (A) If a county placing agency does not have the
37 placement of a child approved by the interagency
38 placement committee or removed from the group home
39 within 30 days from the date of the notice from the group
40 home provider, the group home provider shall notify the

1 county placing agency and the department, in writing, of
2 the county's failure to have the placement of the child
3 approved or remove the child from the group home
4 program.

5 (B) The group home provider shall make the
6 notification required by subparagraph (A) within five
7 days after the expiration of the 30-day approval or
8 removal period. If notification is made, a group home
9 provider shall not be subject to an overpayment
10 determination due to failure of the county placing agency
11 to remove the child.

12 (C) Any group home provider that fails to notify the
13 county placing agency pursuant to subparagraph (A)
14 shall be assessed a penalty in the amount of the AFDC-FC
15 rate paid to the group home provider on behalf of the
16 child commencing on the 31st day of placement and
17 continuing until the county placing agency is notified.

18 (4) Any county placing agency that fails to have the
19 placement of a child approved or to have the child
20 removed from the group home program within 30 days
21 shall be assessed a penalty in the amount of the state and
22 federal financial participation in the AFDC-FC rate paid
23 on behalf of the child commencing on the 31st day of
24 placement and continuing until the child is removed.

25 (h) The department shall develop regulations to
26 obtain payment of assessed penalties as provided in this
27 section. For audit purposes and the application of
28 penalties for RCL 13 and RCL 14 programs, the
29 department shall apply statutory provisions that were in
30 effect during the period for which the audit was
31 conducted.

32 (i) (1) Nothing in this subparagraph shall prohibit a
33 group home classified at RCL 13 or RCL 14 for purposes
34 of the AFDC-FC program, from accepting private
35 placements of children.

36 (2) In cases where a referral is not from a public
37 agency and no public funding is involved, there shall be
38 no requirement for public agency review or
39 determination of need.

1 (3) Children subject to paragraphs (1) and (2) shall
2 have been assessed as seriously emotionally disturbed, as
3 defined in Section 5600.3 and subject to Section 1502.4 of
4 the Health and Safety Code, by a licensed mental health
5 professional, as defined in Sections 629 to 633, inclusive,
6 of Title 9 of the California Code of Regulations.

7 (j) A child shall not be placed in a group home
8 program classified at an RCL 13 or RCL 14 if the
9 placement is paid for with county-only funds unless the
10 child is assessed as seriously emotionally disturbed, as
11 defined in Section 5600.3, subject to Section 1502.4 of the
12 Health and Safety Code, by a licensed mental health
13 professional, as defined in Sections 629 to 633, inclusive,
14 of Title 9 of the California Code of Regulations.

15 (k) This section shall become operative on July 1, 1994.

16 SEC. 3. (a) The Legislature finds and declares all of
17 the following:

18 (1) It is desirable to encourage group home providers
19 to increase the quality of services to foster children above
20 the minimum level required by the State Department of
21 Social Services for licensure and ratesetting.

22 (2) Some form of incentive, or system of incentives, to
23 encourage group homes to become accredited by a
24 recognized third-party authority may be desirable.

25 (b) The State Department of Social Services shall
26 provide to the appropriate policy committees of the
27 Legislature, as quickly as it is practical to do so, its advice
28 on the matter described in subdivision (a), including
29 possible incentive options, if the department concludes
30 that a system described in subdivision (a) is desirable.

31 SEC. 4. *The Legislature reiterates its findings and*
32 *declarations in Section 11467 of the Welfare and*
33 *Institutions Code and its interest in assessing children for*
34 *levels of care. The State Department of Social Services*
35 *shall report to the appropriate policy and fiscal*
36 *committees of the Legislature, by December 1, 1996, on*
37 *its progress in implementing the requirements of Section*
38 *11467 of the Welfare and Institutions Code, including its*
39 *projected date for full implementation.*

1 *SEC. 5.* This act is an urgency statute necessary for the
2 immediate preservation of the public peace, health, or
3 safety within the meaning of Article IV of the
4 Constitution and shall go into immediate effect. The facts
5 constituting the necessity are:

6 In order that foster children may be properly assessed
7 for the level of care they are receiving and that they
8 experience the best care possible while in a group home
9 placement, it is necessary that this act take effect
10 immediately.

